

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

In Re:

**900 CESAR CHAVEZ, LLC, *et al.*,
DEBTORS.**

§
§
§ **CASE NO. 19-11527-tmd**
§
§ **CHAPTER 11**
§
§ **(Request for Joint Administration**
§ **Pending)**

**NOTICE OF APPEARANCE OF ATX LENDER 5, LLC AND REQUEST
FOR NOTICES AND SERVICE OF ALL OTHER PAPERS**

PLEASE TAKE NOTICE that the undersigned counsel hereby enters its appearance on behalf of *ATX LENDER 5, LLC* (“ATX”) in the above-styled Chapter 11 bankruptcy proceeding (the “Bankruptcy Case”), pursuant to the United States Bankruptcy Code and Federal Rule of Bankruptcy Procedure 9010.

PLEASE TAKE FURTHER NOTICE that, pursuant to Federal Rules of Bankruptcy Procedure 2002, 9007, and 9010, the undersigned counsel hereby requests that all notices given or required to be given in the Bankruptcy Case be given to and served at the following address, telephone, and fax number:

W. Steven Bryant
LOCKE LORD LLP
600 Congress Avenue, Ste. 2200
Austin, Texas 78701
Telephone: 512-305-4726
Facsimile: 512-305-4800
sbryant@lockelord.com

PLEASE TAKE FURTHER NOTICE that the foregoing request includes not only notices and papers referred to in the Federal Rule of Bankruptcy Procedure 2002, but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, complaint, or

demand, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, hand-delivery, telephone, fax transmission, or otherwise filed in or made with regard to this Bankruptcy Case and any proceeding commenced herein.

PLEASE TAKE FURTHER NOTICE that the foregoing simply constitutes a demand and request for service of papers. Further, this request for notice shall not waive ATX's:

- (a) Right to challenge, dispute, and/or move to dismiss this Bankruptcy Case based on one or more of the following grounds: this Court's lack of personal jurisdiction over ATX, improper venue, insufficiency of process, and/or insufficiency of service of process on ATX;
- (b) Right to have any and all final orders for any and all non-core matters entered only after a *de novo* review by a United States District Court;
- (b) Right to trial by jury in any proceeding as to any and all matters so triable herein, whether or not the same be designated legal or private rights, or in any case, controversy or proceeding related hereto, notwithstanding the designation of such matters as "core proceedings" pursuant to 28 U.S.C. § 157 and whether such jury-trial right is pursuant to statute or the United States Constitution;
- (c) Right to have the reference of any matter withdrawn by the United States District Court in any manner or proceeding subject to mandatory or discretionary withdrawal; and
- (d) Other rights, claims, actions, setoffs, recoupments, defenses, or other matters to which ATX is entitled under any agreements or at law or in equity or under the United States Constitution.

All of the above-rights are reserved and preserved by ATX without exception and shall not be waived, confessed, or conceded by filing this notice.

Dated: November 5, 2019.

Respectfully submitted,

By: /s/ W. Steven Bryant

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COUNSEL FOR ATX LENDER 5, LLC

CERTIFICATE OF SERVICE

I certify that, on November 5, 2019, a true and correct copy of the foregoing *Notice of Appearance* was served via ECF on all parties who receive service in this Bankruptcy Case via electronic case filing.

/s/ W. Steven Bryant
W. Steven Bryant